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3	Las Vegas, Nevada 89101		
4	Telephone: (702) 547-3944 Facsimile: (702) 974-1458 Fmail: info@fischerlovyly.com		
5	Email: info@fischerlawlv.com Attorney for Defendant EMMANUEL GARCIA LOPEZ		
6	UNITED STATES DISTRICT COURT		
7	DISTRICT OF NEVADA		
8	LINUTED STATES OF AMERICA		
9	UNITED STATES OF AMERICA, Plaintiff,	Case No.: 2:18-cr-00180-JCM-VCF-1	
10	vs.		
11		STIPULATION TO CONTINUE	
12	EMMANUEL GARCIA LOPEZ,	HEARING FOR SENTENCING	
13	Defendant.	(First Request)	
13 14		(First Request) AGREED, by and between Dayle Elieson, United	
	IT IS HEREBY STIPULATED AND		
14	IT IS HEREBY STIPULATED AND States Attorney, Brandon C. Jaroch, Esq., A	AGREED, by and between Dayle Elieson, United	
14 15	IT IS HEREBY STIPULATED AND States Attorney, Brandon C. Jaroch, Esq., A Fischer, Esq., counsel for defendant EMMA	AGREED, by and between Dayle Elieson, United Assistant United States Attorney, and David R.	
14 15 16	IT IS HEREBY STIPULATED AND A States Attorney, Brandon C. Jaroch, Esq., A Fischer, Esq., counsel for defendant EMMA Sentencing in the above-captioned matter set	AGREED, by and between Dayle Elieson, United Assistant United States Attorney, and David R. NUEL GARCIA LOPEZ, that the Hearing for	
14 15 16 17	IT IS HEREBY STIPULATED AND A States Attorney, Brandon C. Jaroch, Esq., A Fischer, Esq., counsel for defendant EMMA Sentencing in the above-captioned matter set	AGREED, by and between Dayle Elieson, United Assistant United States Attorney, and David R. NUEL GARCIA LOPEZ, that the Hearing for for Tuesday, October 16, 2018 at 10:30 A.M. be	
14 15 16 17 18	IT IS HEREBY STIPULATED AND States Attorney, Brandon C. Jaroch, Esq., Fischer, Esq., counsel for defendant EMMA Sentencing in the above-captioned matter set vacated and continued to a date and time converged.	AGREED, by and between Dayle Elieson, United Assistant United States Attorney, and David R. ANUEL GARCIA LOPEZ, that the Hearing for for Tuesday, October 16, 2018 at 10:30 A.M. be renient to the Court but no earlier than ninety (90)	
14 15 16 17 18 19	IT IS HEREBY STIPULATED AND States Attorney, Brandon C. Jaroch, Esq., A Fischer, Esq., counsel for defendant EMMA Sentencing in the above-captioned matter set vacated and continued to a date and time convidays. This Stipulation for the continuance is	AGREED, by and between Dayle Elieson, United Assistant United States Attorney, and David R. NUEL GARCIA LOPEZ, that the Hearing for for Tuesday, October 16, 2018 at 10:30 A.M. be renient to the Court but no earlier than ninety (90) entered into for the following reasons:	
14 15 16 17 18 19 20	IT IS HEREBY STIPULATED AND States Attorney, Brandon C. Jaroch, Esq., A Fischer, Esq., counsel for defendant EMMA Sentencing in the above-captioned matter set vacated and continued to a date and time convidays. This Stipulation for the continuance is	AGREED, by and between Dayle Elieson, United Assistant United States Attorney, and David R. ANUEL GARCIA LOPEZ, that the Hearing for for Tuesday, October 16, 2018 at 10:30 A.M. be renient to the Court but no earlier than ninety (90)	
14 15 16 17 18 19 20 21	IT IS HEREBY STIPULATED AND States Attorney, Brandon C. Jaroch, Esq., A Fischer, Esq., counsel for defendant EMMA Sentencing in the above-captioned matter set vacated and continued to a date and time convidays. This Stipulation for the continuance is 1. This is a joint request by counsel for	AGREED, by and between Dayle Elieson, United Assistant United States Attorney, and David R. NUEL GARCIA LOPEZ, that the Hearing for for Tuesday, October 16, 2018 at 10:30 A.M. be renient to the Court but no earlier than ninety (90) entered into for the following reasons:	

- 2. The additional time requested by this Stipulation is reasonable pursuant to Federal Rule of Criminal Procedure 32(b)(2), which states that "the court may, for good cause, change any limits prescribed in this rule";
- 3. Both counsel request this additional time in order to allow adequate time to research Sentencing issues and to prepare for the sentencing hearing;
- 4. Counsel communicated with the Defendant, EMMANUEL GARCIA LOPEZ, who is currently in custody at the Nevada Southern Detention Center and who agrees with the continuance;
- 5. This is the first request for a continuance filed herein.

WHEREFORE, for the foregoing reasons, the ends of justice would best be served by a continuance of the Sentencing Hearing to be set to a date and time convenient to the Court but no earlier than ninety (90) days.

DATED this 3rd day of October, 2018

/s/ Brandon C. Jaroch
BRANDON C. JAROCH, ESQ.
Assistant United States Attorney
Counsel for the United States

/s/ David R. Fischer
DAVID R. FISCHER, ESQ.
Counsel for Defendant LOPEZ

CERTIFICATE OF ELECTRONIC SERVICE

2 I HEREBY CERTIFY that I am an employee or agent of the LAW OFFICE OF DAVID R. FISCHER and am a person of such age and discretion as to be competent to serve papers and that on the 3rd day of October, 2018, I served a copy of the above and foregoing **STIPULATION TO CONTINUE SENTENCING HEARING** in the following manner(s): 6 ☑ ELECTRONIC SERVICE: Pursuant to Local Rule IC 4-1 of the United States District Court for the District of Nevada, the above-referenced document was electronically filed and served on all appearing parties 7 through the Notice of Electronic Filing automatically generated by the Court. ☑ UNITED STATES MAIL: By depositing a true and correct copy of the above referenced document into the United States Mail with prepaid first-class postage, addressed to the parties at their last-known mailing address(es): Emmanuel Garcia Lopez Nevada Southern Detention Center 2190 East Mesquite Avenue Pahrump, NV 89060 □ OVERNIGHT COURIER: By depositing a true and correct copy of the above referenced document for overnight delivery via a nationally-recognized courier, addressed to the parties listed below at their lastknown mailing address. ☐ FACSIMILE: By sending the above-referenced document via facsimile to those persons listed on the attached service list at the facsimile numbers set forth thereon. ☐ EMAIL: By sending the above-referenced document via email to those persons at the email addresses set forth below: /s/ David R Fischer DAVID R. FISCHER, ESQ. Attorney for Defendant LOPEZ 22

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1	UNITED STATES DISTRICT COURT			
2	DISTRICT OF NEVADA			
3	UNITED STATES OF AMERICA, Case No.: 2:18-cr-00180-ICM-VCF-1			
4	Plaintiff,		Case No.: 2:18-cr-00180-JCM-VCF-1	
5	vs.			
6 7	EMMAN	UEL GARCIA LOPEZ,	FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER	
8	Defendant.			
9				
10	FINDINGS OF FACT			
11	Based on the pending Stipulation of counsel, and good cause appearing therefore, the			
12	Court finds that:			
13	1.	This is a joint request by counsel for	or the Government and counsel for the Defendant,	
14	1.	EMMANUEL GARCIA LOPEZ;	r the Government and counsel for the Berendam,	
15	2.	The additional time requested by t	his Stipulation is reasonable pursuant to Federal	
16		Rule of Criminal Procedure 32(b)	(2), which states that "the court may, for good	
17		cause, change any limits prescribed	in this rule";	
18	3. Both counsel request this additional time in order to allow adequate time to research			
19		Sentencing issues and to prepare for the sentencing hearing;		
20	4. Counsel communicated with the Defendant, EMMANUEL GARCIA LOPEZ, wh is currently in custody at the Nevada Southern Detention Center and who agrees with			
21		the continuance;	a Southern Detention Center and who agrees with	
22	5.		uance filed herein.	
23		•		
24				
			4	

CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interest of the public, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for sentencing, taking into account the exercise of due diligence.

The continuance sought herein is excusable under the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(1)(D) and Title 18, United States Code, Section 3161(h)(7)(A) considering the factors in Title 18, United States Code, Sections 3161(h)(7)(B)(i) and 3161(h)(7)(B)(iv).

ORDER

IT IS HEREBY ORDERED that the Sentencing Hearing currently scheduled for Tuesday, October 16, 2018, at 10:30 A.M., be continued to January 17, 2019, at 10:00 a.m. in courtroom 6A.

UNITED STATES DISTRICT JUDGE

ONINED STATES DISTRICT SUDGE

Case No.: 2:18-cr-00180-JCM-VCF-1

DATED: October 4, 2018